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|   |   |  |   |
|---|---|--|---|
|  | <b>CONTINUED PROSECUTION APPLICATION (CPA)</b><br><b>REQUEST TRANSMITTAL</b>  |  | <small>CHECK BOX if applicable</small><br><input type="checkbox"/> <b>DUPLICATE</b> |
|   | <small>Submit an original, and a duplicate for fee processing.<br/>         (Only for Continuation or Divisional application under 37 C.F.R. § 1.53(d))</small> |  |   |

|   |                        |                    |
|---|------------------------|--------------------|
| Address to:<br><br><b>Assistant Commissioner for Patents</b><br><b>Box CPA</b><br><b>Washington, DC 20231</b> | Attorney Docket No.    | 112008-0027C1      |
|   | First Named Inventor   | John Abedor, et al |
|   | Examiner Name          | Nguyen, John       |
|   | Group/Art Unit         | 3653               |
|   | Express Mail Label No. | EL 714 810 872 US  |

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. §1.53(d), (continued prosecution application (CPA)) of prior application number 09/441,003, filed on November 16, 1999, entitled **ESTIMATING TAPE PACK RADIUS USING A KALMAN FILTER**.

#### NOTES

**FILING QUALIFICATIONS:** The Prior application identified above must be a nonprovisional application that is either (1) complete as defined by C.F.R. §1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provision of 35 U.S.C. § 154 (a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-IP NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53 (b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☒ Enter the unentered amendment previously filed on 09/03/02, under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)4)
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure statement (IDS) is enclosed:
  - a. ☒ PTO-1449
  - b. ☒ Copies of IDS Citations

12/26/2002 SFELEKE1 00000029 09441003

 01 FC:1006  
 02 FC:1201  
 03 FC:1202  
 04 FC:1203

 740.00 OP  
 756.00 OP  
 356.00 OP  
 280.00 OP

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DEC 30 2002

GROUP 3600

Please type a plus sign (+) inside this box ☐

| CLAIMS | (1) FOR   | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE                       | (5) CALCULATIONS |
|--------|---|------------------|------------------|--------------------------------|------------------|
|        | TOTAL CLAIMS<br>(37 C.F.R. § 1.16(c) or (i))  | 42 - 20* =       | 22               | × \$ 18.00                     | \$ 396.00        |
|        | INDEPENDENT CLAIMS<br>(37 C.F.R. § 1.16(b) or (j))  | 12 - 3** =       | 9                | × \$ 84.00                     | \$ 756.00        |
|        | MULTIPLE DEPENDENT CLAIMS(if applicable) (37 C.F.R. § 1.16 (d))   |                  |                  | + \$280.00                     |                  |
|        |   |                  |                  | BASIC FEE<br>(37 C.F.R. §1.16) | \$ 740.00        |
|        |   |                  |                  | Total of above Calculations    | \$ 2172.00       |
|        | Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9,1.27&1.28)                                   |                  |                  |                                | \$ 0.00          |
|        | * Reissue claims in excess of 20 and over original patent<br>** Reissue Independent claims over original patent |                  |                  | TOTAL =                        | \$ 2172.00       |

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.


7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 03 - 1237.

- a. ☒ Fees Required under 37 C.F.R. § 1.16.
- b. ☒ Fees Required under 37 C.F.R. § 1.17.
- c. ☐ Fees Required under 37 C.F.R. § 1.18.

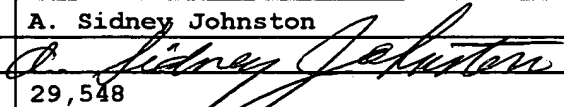
8. ☒ A check in the amount of \$ 2172 is enclosed.

9. ☐ Other:

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

| 18. NEW CORRESPONDENCE ADDRESS  |   |   |                |  |                |
|---|---|---|----------------|--|----------------|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label |   | <br><b>24267</b><br>(Insert Customer Label Here) |                | or <input type="checkbox"/> Correspondence address below |                |
| Name  | A. Sidney Johnston                                |   |                |  |                |
| Address   | Cesari and McKenna, LLP<br>88 Black Falcon Avenue |   |                |  |                |
| City  | Boston  | State   | MA             | Zip Code   | 02210          |
| Country   | U. S. A.  | Telephone   | (617) 951-2500 | Fax  | (617) 951-3927 |

**11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                                  |  |
|----------------------------------|--|
| Name (Print/Type)                | A. Sidney Johnston   |
| Signature                        |  |
| Registration No. Attorney/Agent) | 29,548   |
| Date                             | December 19, 2002  |



Patent and Trademark Office/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it disallows a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | 09/441,003         |
| Filing Date          | November 16, 1999  |
| First Named Inventor | John Abedor, et al |
| Examiner Name        | Nguyen, John       |
| Group Art Unit       | 3653               |
| Attorney Docket No.  | 112008-0027C1      |

TOTAL AMOUNT OF PAYMENT (\$ ) 2,352

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number 03-1237
- Deposit Account Name Cesari and McKenna, LLP
- ☒ Charge Any Additional Fee Required Under 37 C.F.R. §§1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity       | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|--------------------|--------------|----------|----------|----------|----------|------------------------|----------|
| 101                | 201          | 740      | 370      |          |          | Utility filing fee     | 740      |
| 106                | 206          | 330      | 165      |          |          | Design filing fee      |          |
| 107                | 207          | 510      | 255      |          |          | Plant filing fee       |          |
| 108                | 208          | 740      | 370      |          |          | Reissue filing fee     |          |
| 114                | 214          | 160      | 80       |          |          | Provisional filing fee |          |
| SUBTOTAL (1) (\$ ) |              |          |          |          |          |                        | 740      |

### 2. EXTRA CLAIM FEES

|                       |    |   |      |   | Extra<br>Claims |   | Fee from<br>below |   | Fee Paid |
|-----------------------|----|---|------|---|-----------------|---|-------------------|---|----------|
| Total Claims          | 42 | - | 20** | = | 22              | x | 18                | = | 396      |
| Independent<br>Claims | 12 | - | 3**  | = | 9               | x | 84                | = | 756      |
| Multiple Dependent    |    |   |      |   |                 |   | 280               | = | 280      |

| Large Entity |             | Small Entity |             | Fee Description  |       |
|--------------|-------------|--------------|-------------|--|-------|
| Fee<br>Code  | Fee<br>(\$) | Fee<br>Code  | Fee<br>(\$) |  |       |
| 103          | 18          | 203          | 9           | Claims in excess of 20                                       |       |
| 102          | 84          | 202          | 42          | Independent claims in excess of 3                            |       |
| 104          | 280         | 204          | 140         | Multiple dependent claim, if not paid                        |       |
| 109          | 84          | 209          | 42          | **Reissue independent claims over<br>original patent         |       |
| 110          | 18          | 210          | 9           | **Reissue claims in excess of 20<br>and over original patent |       |
| SUBTOTAL (2) |             |              |             | (\$)   | 1,432 |

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 105      | 130      | 205      | 65       | Fee Surcharge - late filing fee or oath                                    |          |
| 127      | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139      | 130      | 139      | 130      | Non-English Specification  |          |
| 147      | 2,520    | 147      | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112      | 920      | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840    | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110      | 215      | 55       | Extension for reply within first month                                     |          |
| 116      | 400      | 216      | 200      | Extension for reply within second month                                    |          |
| 117      | 920      | 217      | 460      | Extension for reply within third month                                     |          |
| 118      | 1,440    | 218      | 720      | Extension for reply within fourth month                                    |          |
| 128      | 1,960    | 128      | 980      | Extension for reply within fifth month                                     |          |
| 119      | 320      | 219      | 160      | Notice of Appeal   |          |
| 120      | 320      | 220      | 160      | Filing a brief in support of an appeal                                     |          |
| 121      | 280      | 221      | 140      | Request for oral hearing   |          |
| 138      | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140      | 110      | 240      | 55       | Petition to revive - unavoidable   |          |
| 141      | 1,280    | 241      | 640      | Petition to revive - unintentional   |          |
| 142      | 1,280    | 242      | 640      | Utility Issue fee (or reissue)   |          |
| 143      | 460      | 243      | 230      | Design Issue fee   |          |
| 144      | 620      | 244      | 310      | Plant Issue fee  |          |
| 122      | 130      | 122      | 130      | Petitions to the Commissioner  |          |
| 123      | 50       | 123      | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126      | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  | 180      |
| 581      | 40       | 581      | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146      | 740      | 246      | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149      | 740      | 249      | 370      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179      | 740      | 279      | 370      | Request for Continued Examination (RCE)                                    |          |
| 169      | 900      | 169      | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)  
Other fee (specify)

SUBTOTAL (3) (\$ ) 180

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

## Complete (if applicable)

|                   |                           |                                   |                   |           |                |
|-------------------|---------------------------|-----------------------------------|-------------------|-----------|----------------|
| Name (Print/Type) | A. Sidney Johnston        | Registration No. (Attorney/Agent) | 29,548            | Telephone | (617) 951-2500 |
| Signature         | <i>A. Sidney Johnston</i> | Date                              | December 19, 2002 |           |                |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OF COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

12-23-02

CpA#  
3653



PATENTS  
112008-0027C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of: )  
John Abedor, et al )  
Serial No.: 09/441,003 )  
Filed: November 16, 1999 )  
For: ESTIMATING TAPE PACK RA- )  
DIUS USING A KALMAN FILTER )

Examiner: Nguyen, John

Art Unit: 3653

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GROUP 3600

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
December 19, 2002

EXPRESS-MAIL DEPOSIT

"Express Mail" Mailing-Label Number: EL 714 810 872 US

The following papers are being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. §1.10:

|  |   |
|--|---|
| <u>X</u> Fee Transmittal Letter            | <u>X</u> (CPA) Request Transmittal Letter   |
| <u>X</u> Check for \$2,352.00              | <u>X</u> Information Disclosure Statement   |
| <u>X</u> PTO-1449 and Copies of References | <u>X</u> Petition 3 Months of Extended Time |
| <u>X</u> Check for \$920.00                |   |